

## STATE OF HAWAII

## REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

TO: Chief Procurement Officer

FROM: Department of Health/Child and Adolescent Mental Health Division  
Department/Division/Agency

Pursuant to § 103F-101(a) (4), HRS, and Chapter 3-14, HAR, the Department requests a procurement exemption to purchase the following:

**Title and description of health and human service(s):**

This request for exemption from Chapter 103F, HRS, is for the placement of youth requiring treatment and rehabilitation services in out-of-state psychiatric facilities and other services that may include ancillary services, limited medical care and services to facilitate the transition of the youth from an inpatient milieu. The decision to place a youth in an out-of-state facility is only after all efforts to meet the youth's treatment needs in Hawaii have been exhausted; or the youth's treatment needs require a specialized treatment that is not locally available, and the determination for placement is reflected in the youth's Individualized Education Program (IEP), or court order.

The Department of Health's Child and Adolescent Mental Health Division is responsible to "provide preventive, diagnostic, treatment and rehabilitative services for emotionally disturbed and mentally ill children and youth" through the age of 20; and the coordination of mental health services for youth adjudicated through the court. (§321-171 HRS; IDEA 20 U.S.C. §1401; Section 504)

**Provider Name:**

To Be Determined

**Total Contract Funds:**

\$700,000\* per Fiscal Year

\*Based on specialized clinical  
need of youth

**Term of Contract:**

*Upon date of approval*  
From: ~~July 1, 2005~~

To: June 30, 2006

**Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:**

The need to place a youth in an out-of-state facility occurs only after all efforts to meet the youth's treatment need in Hawaii have been exhausted; or youth is in need of specialized treatment that is not locally available; and the determination for placement is reflected in the youth's Individualized Education Program (IEP) or court order. The ability to anticipate, develop, and adequately meet all procurement requirements for each youth in need of services in a timely manner is not practicable and would place the State at risk of violating federal laws and/or court order. Further, any delay of clinically necessary services would not be in the best interest of the youth or the State.

**Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:**

The multi-disciplinary treatment team and the established Individualized Educational Program process and/or a court order shall assess local programs to determine appropriateness of placement and to ensure competitions. Only after local programs are deemed inappropriate, a mainland facility is considered.

**A description of the state agency's internal controls and approval requirements for the exempted procurement:**

The CAMHD has implemented a process for the payment of out-of-state facilities. Payment shall be processed only upon the approval by the Family Guidance Center involved and with a Service Authorization for the invoiced period. The Accountant reviews and resolves deviations to the process.

The CAMHD strives to have a contract in place that reflects the Individualized Education Plan, and includes the negotiated reimbursement rate and manage the rate increases.

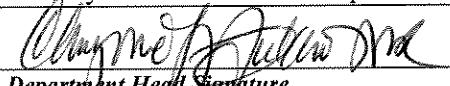
**A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:**

Chiyome Leina'ala Fukino, M.D. Director of Health  
Michelle Hill, Deputy Director of Behavioral Health  
Christina Donkervoet, Chief, CAMHD  
Alfred Arensdorf, CAMHD Medical Director  
Mary Brogan, CAMHD Performance Manager  
T. Orvin Fillman, DrPH, Public Health Administrative Officer/CAMHD Compliance Officer

<b>Direct questions to (name &amp; position):</b>	<b>Phone number:</b>	<b>e-mail address:</b>
T. Orvin Fillman, DrPH, Public Health Administrative Officer	733-4198 or 733-8386	tofillma@camhmis.health.state.hi

This exemption should be considered for list of exemptions attached Chapter 3-141, HAR: Yes ☒ No ☐

I certify that the information provided above is to the best of my knowledge, true and correct.

	<b>JUL - 8 2005</b>
<i>Department Head Signature</i>	<i>Date</i>
Chiyome Leina'ala Fukino, M. D.	Director of Health
<i>Typed Name</i>	<i>Position Title</i>

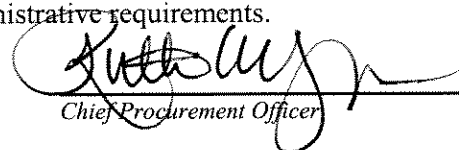
**Chief Procurement Officer's Comments:**

Approval is from date of approval. CAMHD has been advised repeatedly about filing requests in a timely manner and has failed to do so repeatedly. The need for the request was discussed with CAMHD program staff on more than one occasion before the end of the approval period and again after the end of the approval period.

Please ensure adherence to applicable administrative requirements.

☒ Approved

☐ Denied

  
*Chief Procurement Officer*

**7/18/05**  
*Date*

C: Administrator  
State Procurement Officer



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
CHILD & ADOLESCENT MENTAL HEALTH DIVISION  
3627 KILAUEA AVENUE, ROOM 101  
HONOLULU, HAWAII 96816

ADMINISTRATION  
STATE PROCUREMENT OFFICE  
STATE OF HAWAII

In reply, please refer to:

July 6, 2005

**TO:** Ruth Yamaguchi, Acting Administrator  
State Procurement Office

**FROM:** Chiyome Leinaala Fukino, M.D.  
Director of Health

**SUBJECT:** Requesting a "Rush Review"  
Mainland Placement Exemption FY'06

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The Department of Health Child and Adolescent Mental Health Division requests a "**Rush Review**" of the *Request for Exemption From Chapter 103F, HRS* for mainland placement. Recent projections of the number of youth in mainland facilities and their current rate estimates are \$700,000.

The current process requires the assessment of local programs to determine appropriateness of placement to ensure competition. When local programs are determined inappropriate, a mainland facility is considered. The ability to anticipate, develop, and adequately meet all procurement requirements in a timely manner is not practical and would place the State at risk of violating federal laws. Further delay of clinically necessary services would not be in the best interest of the youth of the State.